IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

CRP.No. 17 of 2007

Original Petition(ELE).56/1998 of I ADDL. DISTRICT COURT, PALAKKAD

.....

REVN. PETITIONER:

---

1. KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY, VYDYUTHI BHAVAN,
PATTOM, PALAKKAD.

2. THE DEPUTY TAHASILDAR (LA)
KERALA STATE ELECTRICITY BOARD,
MALAPPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

RESPONDENTS:

SRI.MUHAMED ALI, S/O.GULAM ALI HAJI,
AGED 39 YEARS, POTHIYIL THOTTIL HOUSE,
KARINKALATHANI P.O., PALAKKAD.

BY ADV. SRI.RAJESH SIVARAMANKUTTY
STANDING COUNSEL, KSEB, SRI C.K.KARUNAKARAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.P.BALACHANDRAN, J.

- -

C.M.Appl.No.23 of 2007 &
C.R.P.NO.17 OF 2007

- -

Dated this the 14th day of March 2007

ORDER

C.M.Appl.No.23 of 2007

This is an application filed by the petitioner/K.S.E.B. seeking for condonation of delay of 362 days in filing the revision. The impugned order shows that the order was passed on 29.8.2005. The copy application was made, after about one year, on 9.8.06. The copy was ready on 2.9.2006 and copy was delivered on 11.9.2006. The C.R.P. was filed on 19.12.2006. The explanation for the delay offered by the Assistant Executive Engineer of the KSEB, who has filed an affidavit in support of C.M.Appl.23/07, is as follows:

> " I submit that after receipt of a certified copy of the impugned order, sanction had to be obtained from the Board for filing Civil Revision Petition and in this process there occurred a delay of 362 days in filing the Revision petition. The delay occurred due to the bonafide reason submitted above and the due to administrative exigencies. There was no wilful negligence or laches on the part of the petitioner."

The explanation shows that after receipt of certified copy of the impugned order, sanction had to be obtained from the Board for filing revision and in that process there occurred a delay of 362 days. Almost an year had elapsed after passing of the impugned order to enable the Standing Counsel of the Board to apply for a copy of the impugned order. There is no explanation at all on that aspect. This C.M. Application, in the circumstances, is devoid of merit and is dismissed.

C.R.P.No.17 of 2007

C.M. Application 23/07 seeking for condonation of delay of 362 days in filing this revision is dismissed. Consequently, this revision, filed much beyond time, is not maintainable and is dismissed.

K.P.BALACHANDRAN, JUDGE

jes